## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS CORPUS CHRISTI DIVISION

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ELECTRIC RELIABILITY COUNCIL	\$
OF TEXAS, INC. (ERCOT),	\$
	\$
Appellant and Cross-Appellee,	§ Consolidated Civil Action
	$\S$ No. C-07-71 (Lead Case)
V.	§ No. C-07-134 (Member Case)
	\$
MICHAEL B. SCHMIDT, TRUSTEE,	\$
	\$
Cross-Appellant,	\$
	\$
and	\$
	\$
LEO LEONARD MAY,	\$
	\$
Cross-Appellant and Appellee.	\$

## ORDER

On this day came on to be considered the agreed motion of Electric Reliability Council of Texas, Inc. ("ERCOT"), Michael B. Schmidt, Trustee, and Leo Leonard May to consolidate Case Nos. 07-71 and Case No. 07-134, to align parties, and to set a briefing schedule (D.E. 6).

The Court hereby GRANTS the parties' agreed motion to consolidate, align and set a briefing schedule. The Court hereby ORDERS as follows:

1. Case Nos. 07-71 and 07-134 are hereby CONSOLIDATED. Case No. 07-71 is designated as the lead case, and Case No. 07-134 is designated as a member case. All future pleadings shall be filed in Case No. 07-71. The caption of both cases will be re-aligned to conform to the above-styled caption.

- 2. ERCOT is hereby designated as Appellant and Cross-Appellee in the above-styled consolidated action.
- 3. Michael B. Schmidt, Trustee, is hereby designated as Cross-Appellant in the above-styled consolidated action.
- 4. Leo Leonard May is hereby designated as Appellee and Cross-Appellant in the above-styled consolidated action.
- 5. Per this Court's Order No. 8, ERCOT's initial brief in the above-styled consolidated action is due on April 27, 2007 (Case No. 07-71, D.E. 8).
- 6. All other deadlines in this above-styled consolidated action are set in accordance with Bankruptcy Rule 8009.

  SIGNED and ENTERED this 18th day of April, 2007.

Janis Graham Jack
United States District Judge